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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/676,322 | 09/30/2003 | Barry F. Hibble | MIN-006 | 6478 |
| 959 | 7590 | 12/17/2004 | EXAMINER | |
| LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109 | | | SAVAGE, MATTHEW O | |
| | | | ART UNIT | PAPER NUMBER |

1724

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/676,322 | HIBBLE, BARRY F. | |
| | Examiner | Art Unit | |
| | Matthew O Savage | 1724 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) 11-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5-20-04</u> . | 6) <input type="checkbox"/> Other: _____ |

Applicant's election with traverse of group I and species 1 in the replies filed on 7-28-04 and 10-25-04 is acknowledged. The traversal is on the ground(s) that the 1) inventions are not independent and distinct and that 2) search of all of the inventions would not impose an undue burden upon the examiner. This is not found persuasive because 1) the inventions are independent and distinct for the reasons set forth in the restriction requirement mailed on 6/28/04, and 2) the search of three classes for five groups of invention and two species of invention imposes an undue burden upon the examiner.

The requirement is still deemed proper and is therefore made FINAL.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by FR 1,593,016.

With respect to claim 1, '016 discloses a connector for attaching a filter cloth to a filter plate in a filter press, including a collar portion 7 or 22 configured to couple to the perimeter of a central opening on the filter cloth, and a tab portion 9 or 24 extending at an angle relative to the collar portion configured to engage a recess in the filter plate.

Concerning claim 2, '016 discloses serrations on an inner surface of the tab portion 24.

As to claim 3, '016 discloses a lock ring 11 for securing the tab portion in the recess.

Concerning claim 4, '016 discloses the tab portion 9 as extending substantially perpendicular to the collar portion 7.

Regarding claim 5, '016 discloses the tab portion as being formed plastic.

As to claim 6, '016 discloses the collar portion as forming an annular ring having a hole corresponding to a hole of the filter cloth.

Regarding claim 7, '016 discloses the tab portion as including an outer surface that is inclined (e.g., at a right angle) relative to a longitudinal axis of the connector, wherein the outer surface is configured to abut an inclined surface of the filter plate.

As to claim 8, '016 discloses the collar portion 8 as having a substantially flat surface extending perpendicular to a longitudinal axis, which is configured to abut a first side of filter plate.

Regarding claim 9, '016 discloses a tab clip extending from the tab portion for engaging a bore of the filter plate (e.g., the portion extending into the annular groove in the opening of the filter plate).

Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

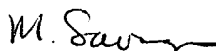
FR 1,593,016 is considered the closest prior art, however, the reference fails to teach or suggest the limitation of the third and fourth surfaces intersecting to form a

point at the end of the connector as recited in claim 10.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew O Savage whose telephone number is (571) 272-1146. The examiner can normally be reached on Monday-Friday, 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Matthew O Savage
Primary Examiner
Art Unit 1724

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December 14, 2004